

(c). Text read as follows: “Within 15 days after the Secretary receives a description of a State agricultural loan mediation program, the Secretary shall certify the State as a qualifying State if the State program—

“(1) provides for mediation services to be provided to producers, and their creditors, that, if decisions are reached, result in mediated, mutually agreeable decisions between parties under an agricultural loan mediation program;

“(2) is authorized or administered by an agency of the State government or by the Governor of the State;

“(3) provides for the training of mediators;

“(4) provides that the mediation sessions shall be confidential; and

“(5) ensures that all lenders and borrowers of agricultural loans receive adequate notification of the mediation program.”

1988—Subsec. (b). Pub. L. 100-399 struck out comma after “Governor of a State”.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-399 effective as if enacted immediately after enactment of Pub. L. 100-233, which was approved Jan. 6, 1988, see section 1001(a) of Pub. L. 100-399, set out as a note under section 2002 of Title 12, Banks and Banking.

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111-233, §1, Aug. 16, 2010, 124 Stat. 2493, provided that: “This Act [amending section 5106 of this title] may be cited as the ‘Agricultural Credit Act of 2010’.”

§ 5102. Matching grants to States

(a) Matching grants

Within 60 days after the Secretary certifies the State as a qualifying State under section 5101(b) of this title, the Secretary shall provide financial assistance to the State, in accordance with subsection (b) of this section, for the operation and administration of the mediation program.

(b) Amount of grant

(1) In general

Subject to paragraph (2), the Secretary shall pay to a State under subsection (a) of this section not more than 70 percent of the cost of the operation and administration of the mediation program within the State.

(2) Maximum amount

The Secretary shall not pay more than \$500,000 per year to a single State under subsection (a) of this section.

(c) Use of grant

(1) In general

Each State that receives an amount paid under subsection (a) of this section shall use that amount only for the operation and administration of the mediation program of the State with respect to which the amount was paid.

(2) Operation and administration expenses

For purposes of paragraph (1), operation and administration expenses for which a grant may be used include—

- (A) salaries;
- (B) reasonable fees and costs of mediators;
- (C) office rent and expenses, such as utilities and equipment rental;

(D) office supplies;

(E) administrative costs, such as workers’ compensation, liability insurance, the employer’s share of Social Security, and necessary travel;

(F) education and training;

(G) security systems necessary to ensure the confidentiality of mediation sessions and records of mediation sessions;

(H) costs associated with publicity and promotion of the mediation program;

(I) preparation of the parties for mediation; and

(J) financial advisory and counseling services for parties requesting mediation.

(d) Penalty

If the Secretary determines that a State has not complied with subsection (c) of this section, such State shall not be eligible for additional financial assistance under this chapter.

(Pub. L. 100-233, title V, §502, Jan. 6, 1988, 101 Stat. 1663; Pub. L. 102-554, §22, Oct. 28, 1992, 106 Stat. 4161; Pub. L. 103-354, title II, §282(f)(1)(A), Oct. 13, 1994, 108 Stat. 3235; Pub. L. 106-472, title III, §306(b), Nov. 9, 2000, 114 Stat. 2072.)

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-472 designated existing provisions as par. (1), inserted heading, and added par. (2).

1994—Subsecs. (a), (b)(1), (c). Pub. L. 103-354 struck out “agricultural loan” before “mediation program”.

1992—Subsec. (b)(1). Pub. L. 102-554, §22(1), substituted “70” for “50”.

Subsec. (c). Pub. L. 102-554, §22(2), inserted before period at end “with respect to which the amount was paid”.

§ 5103. Participation of Federal agencies

(a) Duties of Secretary of Agriculture

(1) In general

The Secretary, with respect to each program or agency under the jurisdiction of the Secretary—

(A) shall prescribe rules requiring each such program or agency to participate in good faith in any State mediation program certified under section 5101 of this title;

(B) shall participate in mediation programs certified under section 5101 of this title; and

(C) shall—

(i) cooperate in good faith with requests for information or analysis of information made in the course of mediation under any mediation program certified under section 5101 of this title; and

(ii) if applicable, present and explore debt restructuring proposals advanced in the course of such mediation.

(2) Nonbinding on Secretary

The Secretary shall not be bound by any determination made in a program described in section 5101 of this title if the Secretary has not agreed to such determination.

(b) Duties of Farm Credit Administration

The Farm Credit Administration shall prescribe rules requiring the institutions of the Farm Credit System—